

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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SECURITIES INVESTOR PROTECTION	:	
CORPORATION,	:	
	:	
Plaintiff-Applicant,	:	
	:	
v.	:	
	:	
BERNARD L. MADOFF INVESTMENT	:	SIPA Liquidation
SECURITIES LLC,	:	No. 08-01789 (SMB)
	:	(Substantively Consolidated)
Defendant.	:	
	:	
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In re	:	
	:	
BERNARD L. MADOFF,	:	Applicable to the Adversary Proceedings
	:	Listed in Exhibits A-B to the Court's Order
Debtor.	:	Dated December 10, 2014, ECF No. 8800
	:	
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**STIPULATION AND ORDER MODIFYING THE
ORDER CONCERNING FURTHER PROCEEDINGS ON
EXTRATERRITORIALITY MOTION AND TRUSTEE'S OMNIBUS MOTION
FOR LEAVE TO REPLEAD AND FOR LIMITED DISCOVERY**

WHEREAS:

A. On December 10, 2014, the Court entered an Order Concerning Further Proceedings on Extraterritoriality Motion and Trustee's Omnibus Motion for Leave to Replead and for Limited Discovery, ECF No. 8800 (the "Scheduling Order"). Exhibits A and B to the Scheduling Order list 97 adversary proceedings that are subject to the Scheduling Order.

B. Paragraphs 2, 3, and 8 of the Scheduling Order set forth deadlines for filing certain papers.

C. Paragraph 9 of the Scheduling Order provided that certain papers referred to in paragraphs 2, 3, and 8 “shall be filed in the main adversary proceeding and each adversary proceeding listed in Exhibits A and B.”

D. On December 31, 2014, the date specified in paragraph 2 of the Scheduling Order, liaison counsel for the Transferee Defendants filed a Consolidated Supplemental Memorandum of Law in Support of the Transferee Defendants’ Motion to Dismiss Based on Extraterritoriality (“Supplemental Memorandum”) in the main SIPA proceeding, Adv. No. 08-1789-SMB.

However, the ECF system would not allow liaison counsel to file the Supplemental Memorandum in the adversary proceedings in which liaison counsel do not represent a party. Liaison counsel notified counsel for the other defendants in the adversary proceedings listed in Exhibits A and B to the Scheduling Order that they would have to file the Supplemental Memorandum in the adversary proceedings in which they represented defendants, but some of the defendants were not able to complete those filings on December 31, 2014.

E. Counsel for the Trustee and Liaison Counsel have agreed, subject to the approval of the Court, that the papers which the Scheduling Order requires to be filed in the main adversary proceeding and each adversary proceeding listed in Exhibits A and B should be deemed to be filed by the applicable dates specified in paragraphs 2, 3, and 8 of the Scheduling Order if they are filed by such dates in the main adversary proceeding, Adv. No. 08-1789-SMB.

F. Separately, counsel for the Trustee and counsel for the defendants listed in row 4d of Exhibit A to the Scheduling Order have agreed that row 4d should be corrected, to reflect more accurately the allegations of the complaint referred to in that row, by adding the following transferors to the column entitled “Foreign Transferors (Location)”: Kingate Global Fund Ltd.

(BVI), Kingate Euro Fund LTD (BVI), Landmark Investment Fund Ireland (Ireland), Defender Ltd (BVI), and Square One Fund Ltd. (BVI).

G. Paragraph 19 of the Scheduling Order provides, “This Order may be modified by the Court sua sponte or at the request of any party for good cause shown.”

NOW, THEREFORE, subject to the approval of the Court, it is hereby
STIPULATED AND AGREED:

1. The papers which the Scheduling Order requires to be filed in the main adversary proceeding, Adv. No. 08-1789-SMB, and each adversary proceeding listed in Exhibits A and B to the Scheduling Order shall be deemed to be filed by the applicable dates specified in paragraphs 2, 3, and 8 of the Scheduling Order if they are filed by such dates in the main adversary proceeding.

2. Exhibit A to the Scheduling Order is hereby amended by adding the following transferors to row 4d in the column entitled “Foreign Transferors (Location)”: Kingate Global Fund Ltd. (BVI), Kingate Euro Fund LTD (BVI), Landmark Investment Fund Ireland (Ireland), Defender Ltd (BVI), and Square One Fund Ltd. (BVI).

Dated: January 12, 2015
New York, New York

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*Attorneys for the Defendants listed in Row 4d
of Exhibit A to the Scheduling Order*

SO ORDERED.

Dated: New York, New York
January 13th, 2015

/s/ STUART M. BERNSTEIN
THE HONORABLE STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE